

HOUSE BILL NO. 172

INTRODUCED BY L. HOLDEN

A BILL FOR AN ACT ENTITLED: "AN ACT EXEMPTING EMPLOYEES OF COUNTY HOSPITALS AND COUNTY REST HOMES IN CERTAIN CLASSES OF COUNTIES AND EMPLOYEES OF HOSPITAL DISTRICTS FROM MANDATED LEAVE PROVISIONS; REQUIRING AN INCREASE IN PAY COMPENSATION OR BENEFITS TO OFFSET ANY REDUCTION IN LEAVE BENEFITS; ALLOWING THE GOVERNING BODY OF CERTAIN CLASSES OF COUNTIES AND THE BOARD OF TRUSTEES OF HOSPITAL DISTRICTS TO EXEMPT EMPLOYEES OF COUNTY HOSPITALS ~~AND~~ COUNTY REST HOMES, AND HOSPITAL DISTRICTS FROM PARTICIPATION IN SPECIFIED GROUP INSURANCE CONTRACTS OR PLANS; AND AMENDING SECTION 2-18-702, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

NEW SECTION. Section 1. Exemption. (1) An employee of a county hospital or county rest home in a third, fourth, fifth, sixth, or seventh class county OR AN EMPLOYEE OF A HOSPITAL DISTRICT is exempt from the provisions of this part.

(2) FOR ANY REDUCTION IN LEAVE BENEFITS FOR AN EMPLOYEE SUBJECT TO SUBSECTION (1), THERE MUST BE A CORRESPONDING AN INCREASE IN PAY COMPENSATION OR BENEFITS.

Section 2. Section 2-18-702, MCA, is amended to read:

"2-18-702. Group insurance for public employees and officers. (1) (a) ~~At~~ Except as provided in subsection (1)(c), all counties, cities, towns, school districts, and the board of regents shall upon approval by two-thirds vote of their respective officers and employees enter into group hospitalization, medical, health, including long-term disability, accident, or group life insurance contracts or plans for the benefit of their officers and employees and their dependents. The laws prohibiting discrimination on the basis of marital status in Title 49 do not prohibit bona fide group insurance plans from providing greater or additional contributions for insurance benefits to employees with dependents than to employees without dependents or with fewer dependents.

(b) The governing body of a county, city, or town may, at its discretion, consider the employees

1 of private, nonprofit economic development organizations to be employees of the county, city, or town
2 solely for the purpose of participation in group hospitalization, medical, health, including long-term
3 disability, accident, or group life insurance contracts or plans as provided in subsection (1)(a). The
4 governing body of the county, city, or town may require an employee or organization to pay the actual
5 cost of coverage required for participation or may, at its discretion and subject to any restriction on who
6 may be a member of a group, pay all or part of the cost of coverage of the employee of the organization.

7 (c) The governing body of a third, fourth, fifth, sixth, or seventh class county OR THE BOARD OF
8 TRUSTEES OF A HOSPITAL DISTRICT may, at its discretion, exempt employees of a county hospital or, county
9 rest home, OR HOSPITAL DISTRICT from participation in group hospitalization, medical, health, including
10 long-term disability, accident, or group life insurance contracts or plans provided pursuant to subsection
11 (1)(a) or (1)(b).

12 (2) State employees and elected officials, as defined in 2-18-701, may participate in state
13 employee group benefit plans as are provided for under part 8 of this chapter.

14 (3) For state officers and employees, the premiums required from time to time to maintain the
15 insurance in force must be paid by the insured officers and employees, and the state treasurer shall deduct
16 the premiums from the salary or wages of each officer or employee who elects to become insured, on the
17 officer's or employee's written order, and issue a warrant for the premiums to the insurer.

18 (4) For the purpose of this section, the plans of health service corporations for defraying or
19 assuming the cost of professional services of licentiates in the field of health or the services of hospitals,
20 clinics, or sanitariums or both professional and hospital services must be construed as group insurance and
21 the dues payable under the plans must be construed as premiums for group insurance.

22 (5) If the board of trustees of a school district implements a self-insured group health plan or if
23 the board of regents implements an alternative to conventional insurance to provide group benefits to its
24 employees, the board shall maintain the alternative plan on an actuarially sound basis."

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26 NEW SECTION. Section 3. Codification instruction. [Section 1] is intended to be codified as an
27 integral part of Title 2, chapter 18, part 6, and the provisions of Title 2, chapter 18, part 6, apply to
28 [section 1].

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